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Date: November 5, 2001

Docket No.: 2801-0165P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 08/706,836 filed on September 3,
1996, the entire contents of which are hereby incorporated by
reference,
by

Russell M. HAGAN and Keith T. BUNCE

for

NOVEL MEDICAL USE FOR TACHYKININ ANTAGONISTS

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$740.00	\$370.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	26-20 =	0	x18 = \$108.00	x 9 = \$0.00
INDEPENDENT CLAIMS	3-3 =	0	x 84 = \$0.00	x 42 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$1,128.00	\$0.00

3. ☒ A check in the amount of \$1,128.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 08/706,836, filed on September 3, 1996, which is a continuation of Application No. 08/579,294, filed on December 27, 1995, now U.S. Patent 5,798,363; which is a continuation of Application No. 08/269,079, filed June 30, 1994, now U.S. Patent 5,538,982; which is a divisional of Application No. 07/946,635, filed on September 18, 1992, now U.S. Patent 5,360,820; the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application Nos. 91 20172.3; 92 02839.8; and 92 04151.6 filed in Great Britain on September 20, 1991; February 11, 1992; and February 27, 1992, respectively, under 35 U.S.C. § 119.--
- b. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 08/706,836, filed on September 3, 1996 and for which priority is claimed under 35 U.S.C.

§ 120. Application No. 08/706,836 is the national phase of PCT International Application No. PCT/_____/____ filed on _____ under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119.--

6. ☐ Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 08/706,836 on _____. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to Glaxo Group Limited.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☒ Priority of Application Nos. 91 20172.3; 92 02839.8; and 92 04151.6 filed in Great Britain on September 20, 1001; February 11, 1992; and February 27, 1992, respectively is/are claimed under 35 U.S.C. § 119.
- 10b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and Application No. _____ filed in _____ on _____ under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000

or
Customer No. 2292
13. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 08/706,836 in order to establish co-pendency with the present application.

14. ☒ Also enclosed herewith is the following:

Statement Regarding Inventorship

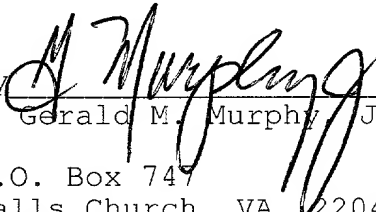
Associate Power of Attorney

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Gerald M. Murphy, Jr., #28,977

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Attachments

(Rev. 09/26/01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Russell M. HAGAN et al. CONF.: UNASSIGNED
APPLN. NO.: NEW GROUP: UNASSIGNED
FILED: November 5, 2001 EXAMINER: UNASSIGNED
FOR: NOVEL MEDICAL USE FOR TACHYKININ ANTAGONISTS

STATEMENT REGARDING INVENTORSHIP

Assistant Commissioner of Patents
Washington, DC 20231

November 5, 2001

Sir:

A Patent Attorney of the Assignee, Glaxo Group Limited, has reviewed the inventorship of the above-identified application and has determined that the following inventors did not make an inventive contribution to the invention now claimed in the present application.

Alan NAYLOR

Andrew Richard WHITTINGTON

Mark LADLOW

Barry Anthony COOMBER

Andrew Brian McELROY

It is hereby acknowledged that the above-identified inventors' invention is no longer being claimed in the present application.

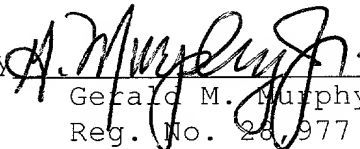
Therefore, the inventors of the present application are Russell M. HAGAN and Keith T. BUNCE.

A Petition to Change Inventorship was filed in parent Application No. 08/706,836 on September 3, 1996.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Gerald M. Murphy, Jr.
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